

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA
:
- v. -
:
OMAR KHAN,
:
Defendant.
:
- - - - - X

SEALED
SUPERSEDING
INDICTMENT

S1 20 Cr. 117 (___)

COUNT ONE

(Wire Fraud)

The Grand Jury charges:

1. From at least in or about 2015, up to and including in or about 2019, in the Southern District of New York and elsewhere, OMAR KHAN, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, and attempting to do so, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, KHAN induced victims, through materially false and misleading statements and omissions, to invest millions of dollars in fraudulent business ventures involving wine tasting and dinner events, and in doing so, failed to repay many of the

victims the money they had invested or pay them any profit on their investments, and in connection therewith and furtherance thereof, transmitted and caused to be transmitted interstate wire transfers of funds, including wires through the Southern District of New York.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT TWO
(Aggravated Identity Theft)

The Grand Jury further charges:

2. From at least in or about February 2018 until at least in or about March 2018, in the Southern District of New York and elsewhere, OMAR KHAN, the defendant, knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, the defendant created fictitious emails in the name of another individual and transmitted those emails to a victim during and in relation to the wire fraud offense charged in Count One of this Indictment in order to conceal and promote the fraudulent scheme.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b),
and 2.)

FORFEITURE ALLEGATIONS

3. As a result of committing the offense alleged in Count One of this Indictment, OMAR KHAN, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c) any and all property, real and personal, that constitutes or is derived from, proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

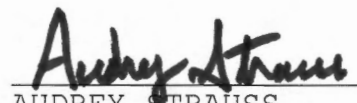
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property

of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


Foreperson


AUDREY STRAUSS
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(18 U.S.C. §§ 1028A(a)(1), 1028A(b),
1343 and 2.)

AUDREY STRAUSS
United States Attorney.

A TRUE BILL



Foreperson.
